



THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: September 23, 2015

Sponsored by Council Members: Rennia, Webb, Matzo, Motsavage, Berg, Mihalko, Papastrat

Introduced by Committee: Municipal and Public Affairs

ORDINANCE

entitled

AN ORDINANCE AMENDING CHAPTER 292
OF THE CODE OF THE CITY OF BINGHAMTON
REGARDING NOISE

WHEREAS, the City of Binghamton wishes to amend Chapter 292-4, *Definitions and word usage*, of the Code of the City of Binghamton to include the definition for Electric Generation Facility and amend the definition for Public Service Industrial Facility; and

WHEREAS, the City of Binghamton wishes to amend Chapter 292-7, *Enforcement and administration*, of the Code of the City of Binghamton to add § 292-7.C regarding the number of certifications; and

WHEREAS, the City of Binghamton wishes to amend Chapter 292-9, *Permits and variances*, of the Code of the City of Binghamton to modify § 292-9.A to include the required number of days noise permit applications have to be submitted prior to events.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That § 292-4 of the Code of the City of Binghamton, entitled *Definitions and word usage*, is hereby amended to add the italicized language as provided below.

§ 292-4. *Definitions and word usage* [Amended 09-23-2015 by Ord. No 15-59]

ELECTRIC GENERATION FACILITY -- Any facility which services an industrial load, the community at large or the New York State Independent System Operator (NYISO) market.

PUBLIC SERVICE INDUSTRIAL FACILITY -- Any facility and its related premises, property or equipment used to provide industrial governmental services to the public, including but not limited to:

- (1) Waste collection centers.
- (2) Waste recycling centers.
- (3) Water and sewage facilities.
- (4) *Electric Generation Facility*

Section 2. That § 292-7 of the Code of the City of Binghamton, entitled *Enforcement and administration*, is hereby amended to add the italicized language as provided below.

**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: September 23, 2015

§ 292-7. Enforcement and administration [Amended 09 - 23-2015 by Ord. No 15- 59]

C. The City will keep at least five (5) people certified at all times.

Section 3. That § 292-9 of the Code of the City of Binghamton, entitled *Permits and variances*, is hereby amended to add the italicized language as provided below.

§ 292-9. Permits and variances [Amended 09 - 23-2015 by Ord. No 15- 59]

A. Application for special permit. The City Clerk shall have the authority to grant special permits for limited times and purposes of this chapter. Any person seeking a special permit pursuant to this section shall file an application with the City Clerk. The application shall consist of a letter signed by the applicant and shall contain a legal form of verification. Such letter shall contain information which demonstrates that bringing the source of sound or activity for which the permit is sought into compliance with this chapter would constitute an unreasonable hardship on the applicant, on the community or on other persons. Noise Permit applications need to be submitted at least 14 days prior to the date of the event.

Section 4. That this Ordinance shall take effect immediately.

Introductory No. 015-55

Permanent No. 015-59

Sponsored by City Council Members:
Rennia, Webb, Matzo, Motsavage, Berg, Mihalko,
Papastrat

AN ORDINANCE AMENDING CHAPTER 292 OF THE
CODE OF THE CITY OF BINGHAMTON REGARDING
NOISE

The within Ordinance was adopted by the Council of
the City of Binghamton.

9/23/15
Date

City Clerk

28 Sep 15
Date Presented to Mayor

10/1/15
Date Approved

Richard L. Sted
Mayor

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko	✓			
Rennia	✓			
Webb	✓			
Papastrat	✓			
Matzo	✓			
Berg	✓			
Total	7	0	0	0

☐ Code of the City of Binghamton

☒ Adopted ☐ Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true copy
of the legislation adopted by the Council
of the City of Binghamton at a meeting
held on 23 Sep 15. Approved by the
Mayor on 10-1-15.

